

REMARKS

Claims 1-130 were pending in the Application of which claims 1, 22, 37, 72, 85, and 99 were independent claims. Claims 16-19 and 37-130 have been canceled. Claims 1, 3, 5, 8, and 20-21 have been amended. No new matter had been introduced by these amendments and the amendments are fully supported by the original disclosure. Accordingly, claims 1-15 and 20-36 are still pending in the Application of which claims 1 and 22 are independent claims.

Claim Amendments:

Claims 3, 5, 8, and 20-21 have been amended above to correct minor errors or typos or to adjust claim dependencies necessitate by other amendments. Applicant believes that these amendments do not change the scope of the claims, are fully supported by the original disclosure and introduce no new matter.

Claim 1 has been amended to include the limitations of claims 18 and 19. Accordingly, claim 1 is essentially claim 19 rewritten in independent form. Applicant believes that amended claim 1 is allowable for the reasons stated below.

Claim Rejections Under §102(e):

Paragraph 11 of the Action rejects claims 1-12, 16-30, 32-46, 49-63, 65-72, 74-79, 81-87, 89-127, and 129 under 35 U.S.C. 102(e) as being anticipated by Wu et al. (U.S. Patent No. 6,813,489). Applicants have cancelled claims 16-19, 37-46, 49-63, 65-72, 74-79, 81-87, 89-127, and 129 thereby rendering this rejection moot as to these claims. Applicant therefore respectfully request withdrawal of the rejection as to these claims; however, Applicant expressly reserves the right to pursue any patentable material contained in claims 16-19, 37-46, 49-63, 65-

72, 74-79, 81-87, 89-127, and 129 at a later time. With respect to the remaining claims, Applicants respectfully traverses the rejection because Wu et al. fails to teach each and every limitation of claims 1-12, 16-30, 32-46, 49-63, 65-72, 74-79, 81-87, 89-127, and 129.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). Moreover, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Certain embodiments of the present application are directed to a method for communicating whereby a client device generates and sends a data message to a mobile device. The mobile device receives the data message and displays the textual contents of the data message. Next, the mobile device causes a voice reply to the received data message to be generated when a reply is spoken into the mobile device using a transmit action. The voice reply is transmitted to a server, or message activity that stores the reply and determines the destination address of the intended recipient for the reply by referencing information previously stored on the server. The server then sends the recipient a message that notifies the intended recipient to retrieve a copy of the voice reply, or, alternatively sends a copy of the reply directly to the intended recipient as an attachment (See Applicants' Specification, paragraphs [0037], [0106]-[0112]).

In addition, however, the data message is routed to the mobile device via the message authority. As claimed in amended claim 1, the message authority associates the data message with an intermediate address associated with the message authority. (See, e.g., paragraph 14 on

page 32). The message authority then associates the destination address for the data message, i.e., the address of the sender of the data message, with a combination of the intermediate address and an identifier associated with the mobile device. (See, e.g., paragraph 116). In other words, the destination address is compound indexed against a combination of intermediate address and mobile device identifier. The mobile device is configured to then transmit a reply to the intermediate address and the message authority selects the correct destination address based on the combination of the intermediate address on which the reply was received by the message authority and the identifier associated with the mobile device generating the reply. (See Id.).

In this manner, a few intermediate addresses can be used for a large number of mobile devices and a large number of destination addresses, i.e., client devices. This reduces the resources needed to implement the message authority.

In contrast with amended claim 1, Wu et al. fails to teach a message authority configured to use compound indexing of an intermediate address with a mobile device identifier to select the destination address of the recipient of a voice reply. Specifically, the Action alleges with respect to claim 19 that Wu et al. teaches the step of determining a destination address for the voice reply by reference to the combination of the mobile device identifier and the intermediate address. Applicant respectfully disagrees.

The system of Wu et al. is simply different. In the system of Wu et al., the mobile device user accesses his email account using his mobile device. (See col. 1, lines 59-63). The user can then open and read emails. (See col. 4, lines 39-41). If the user elects to forward or reply to an email with a voice message, then the data session being used to view the emails is terminated and the user must initiate a call to a voice server system 25. (See col. 5, lines 1-5). The system then attempts to capture the device identifier and associate it with the email sender's electronic

address (the destination address). (See col. 6, lines 48-61). This identifier is then associated with the email being replied to so that when the user calls the voice server system 25 and records a voice message, the system can again capture the identifier and then check to see if any email replies associated with the device identifier are pending. (See col. 7, lines 55-64). If so, then the system allows the user to record a voice message, associates with the recorded message with the pending email and sends it to the destination address. (See Col. 7, line 65 to col. 8, line 8).

Thus, Wu et al., does not teach “a message authority associating a destination address associated with the data message with an identifier associated with the mobile device and with an intermediate address associated with the message authority . . .,” as required by amended claims 1. Nor does Wu et al. teach “the message authority, determining a destination address for the voice reply by reference to the combination of the mobile device identifier and the intermediate address.” Rather, Wu et al. teaches associating the device identifier (only) with the destination address so that the system can identify which email to associate a recorded voice reply.

For at least the reasons stated above, the rejection should be withdrawn with respect to claim 1. Claims 2-12 and 20-21 depend from claim 1 and are allowable for at least the same reasons as claim 1. Therefore, applicant respectfully requests that the rejection of claims 1-12 and 20-21 be withdrawn.

Similarly, in contrast with claim 22, Wu et al. fails to teach “a receiver configured to receive a data message, the data message comprising an identifier that can be used to determine a reply path associated with the received data message; [and] a processor configured to parse the data message, extract the identifier, and determine the reply path from the identifier” As described above, a user can use their mobile device to view emails; however, the device does not

parse an email, extract an identifier and then use this identifier to determine a reply path, despite what the Action alleges.

For at least the reasons stated above, the rejection should be withdrawn with respect to claim 22. Claims 22-30 and 32-36 depend directly or indirectly off of claim 22 and are therefore allowable for at least the same reasons as discussed with respect to claim 22. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 22-30 and 32-36.

Claim Rejections Under §103(a):

Paragraph 70 of the Action rejects claims 13, 29, 47-48, 64, 80, 88 and 128 under 35 U.S.C. 103(a) as being unpatentable over Wu et al. in view of Guedalia et al. (U.S. Patent No. 6,907,112). Applicants have canceled claims 47-48, 64, 80, 88 and 128 thereby rendering this rejection moot as to these claims. Applicant therefore respectfully request withdrawal of the rejection as to these claims; however, Applicant expressly reserves the right to pursue any patentable material contained in claims 47-48, 64, 80, 88 and 128 at a later time.

Claim 13 depends from claim 1 and is therefore allowable for the same reasons as claim 1 unless Guedalia et al. makes up for the deficiencies of Wu et al., which it does not. Similarly, claims 29 depends from claim 22 and is therefore allowable for the same reasons as claim 22 unless Guedalia et al. makes up for the deficiencies of Wu et al., which it does not. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 13 and 29.

Paragraph 75 of the Action rejects claims 14-15, 31, 73 and 130 under 35 U.S.C. 103(a) as being unpatentable over Wu et al. in view of Everhart et al. (U.S. Patent No. 6,928,614). Applicants have canceled claims 73 and 130 thereby rendering this rejection moot as to these

claims. Applicant therefore respectfully request withdrawal of the rejection as to these claims; however, Applicant expressly reserves the right to pursue any patentable material contained in claims 73 and 130 at a later time.

Claims 14-15 depend from claim 1 and are therefore allowable for the same reasons as claim 1 unless Guedalia et al. makes up for the deficiencies of Wu et al., which it does not. Similarly, claims 31 depends from claim 22 and is therefore allowable for the same reasons as claim 22 unless Guedalia et al. makes up for the deficiencies of Wu et al., which it does not. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 14-15 and 31.

CONCLUSION

Applicant believes that given the above amendments and remarks, the claims are now in condition for allowance and such is respectfully requested. No new claim fees are believed to be necessitated by this response. The Examiner is requested to charge any additional fees that may be due with this response to deposit account 13-0480 referencing the attorney docket number listed above.

Respectfully submitted,

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